THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

W.P.No.28509 of 1996

Date:17.02.2006

Between:

M/s.Sathya Lalitha Sea Foods and Processing Company Pvt. Ltd.

-------PETITIONER

AND

The State of Andhra Pradesh and others.

---------RESPONDENTS

ORDER:

The petitioner challenges the notice, dated 30.10.1996, said to have been issued by the third respondent, the Mandal Revenue Officer, requiring the petitioner to vacate the lands in Sy.Nos.1629, 1630, 1645/2, 1644, and 1646 to 1650 of Komaragiripatnam Village, Allavaram Mandal, East Godavari District.

The petitioner states that it is undertaking prawn culture in the lands referred to above and the third respondent issued the impugned notice, without indicating any provision of law. The petitioner contends that it made a detailed representation, dated 15.12.1996, to the Government and the other respondents herein, and even while the same is pending, action is being taken against it.

The third respondent filed a counter-affidavit. It is stated that the notice, dated 30.10.1996, was not issued by his Office at all. It is also alleged that the lands

referred to therein, belong to the Government and the possession thereof has been taken by the Government on 31.01.1994.

Heard the learned counsel for the petitioner and the Learned Government Pleader for Revenue.

The only challenge in this writ petition is, to the notice, dated 30.10.1996, said to have been issued by the third respondent. In his counter affidavit, the third respondent categorically stated that he never issued such a notice. He proceeded further and said that the lands referred to above have already been taken possession on 31.01.1994. In that view of the matter, the very basis for filing the writ petition ceases to exhaust.

Hence, the writ petition is closed, as the one without any cause of action.

_____

17.02.2006

kdl